

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

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CRIMINAL NO. 09-201

v.

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SECTION: K

WALLACE A. BOURGEOIS

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VIOLATION: 18 U.S.C. §1343

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FACTUAL BASIS

Should this matter have gone to trial, the Government would have proved beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible exhibits including the testimony of special agents of the Federal Bureau of Investigation (“FBI”), employees of the American Red Cross (“Red Cross”) and others, the following facts to support the allegations charged by the United States Attorney in the Bill of Information now pending against the defendant, **WALLACE A. BOURGEOIS**.

An employee of the Red Cross would testify that in the weeks and months after Hurricane Katrina, which struck southeastern Louisiana on August 29, 2005, the Red Cross maintained disaster recovery centers to assist victims of Hurricane Katrina. Through these recovery assistance efforts, the Red Cross provided financial assistance to residents displaced or otherwise affected by Hurricane Katrina. People affected by the storms were able to apply for a one-time only financial grant of up

to \$1,565 from the Red Cross. In order to receive these funds, applicants needed to present identification to a Red Cross representative that indicated residence in an affected zone. Applicants were also required to swear and attest that they had not received any undisclosed additional American Red Cross financial assistance at any other Red Cross assistance location.

Competent testimony would be introduced that once approved, the Red Cross made these disaster assistance funds available in one of four ways: (1) A personal check made payable to the applicant, issued on-site, and cashed with the assistance of the Red Cross; (2) A Red Cross-issued “Discover” card, issued on-site, and activated via phone by the applicant; (3) A Red Cross-issued Client Assistance Card (“CAC card”), issued on-site, and purchased by the Red Cross from private banking institutions; (4) A personal check authorized by the Red Cross, issued by Paychex, Inc.

Testimony by an employee of the Red Cross and admissible exhibits would be introduced to prove that the defendant, **WALLACE A. BOURGEOIS**, presented himself to Red Cross assistance centers on six (6) occasions between on or about September 12, 2005 and on or about October 3, 2005. On at least three visits, he applied for financial assistance and indicated that he had not received any other financial assistance from the Red Cross. As a result of his actions in connection with these applications, **WALLACE A. BOURGEOIS** received direct financial assistance from the Red Cross totaling \$9,090, of which \$7,525 was obtained by fraud. Competent testimony and admissible exhibits would be introduced to prove that one of the six occasions that **WALLACE A. BOURGEOIS** applied for assistance was on or about September 21, 2005, when the defendant applied for and received a pre-loaded CAC card from the Red Cross at an assistance center located within the Eastern District of Louisiana.

An employee of Discover would testify and admissible records would be submitted to prove that on or about September 22, 2005, a pre-loaded CAC card, XXXX XXXX XXXX 1817, issued by the Red Cross to **WALLACE A. BOURGEOIS**, was used at a Chase ATM machine in LaPlace, Louisiana. This use in turn caused certain writings, signs, signals, and sounds to be sent from the point of use in LaPlace, Louisiana to a data center outside the state of Louisiana, authorizing and allowing the defendant, **WALLACE A. BOURGEOIS**, to withdraw money from the ATM.

READ AND APPROVED:

George Chaney
Counsel for WALLACE A. BOURGEOIS
____/____/____

SHARAN E. LIEBERMAN
Assistant U.S. Attorney ____/____/____

WALLACE A. BOURGEOIS
Defendant ____/____/____